

A regular meeting of the Liquor Advisory Committee was held on Monday, March 8, 2004 in Conference Room C of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:01 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
Alex Bennett
W. Stan Godlewski
James C. Moseley
James R. Peard
Emily Polet, Student Representative
Carolyn Glosby, Assistant City Attorney
Sergeant Thomas J. Gordon
Pat Gladysz

ABSENT: Anita Elenbaum

Resolution to Excuse Committee Member Elenbaum

Resolution #LC2004-03-007

Moved by Moseley

Seconded by Allemon

RESOLVED, that the absence of Committee member Elenbaum at the Liquor Advisory Committee meeting of March 8, 2004 BE EXCUSED.

Yes: All-6

No: None

Absent: Elenbaum

Resolution to Approve Minutes of February 9, 2004 Meeting

Resolution #LC2004-03-008

Moved by Peard

Seconded by Moseley

RESOLVED, that the Minutes of the February 9, 2004 meeting of the Liquor Advisory Committee be approved.

Yes: All-6
No: None
Absent: Elenbaum

Agenda Items:

1. **FLEMING’S/GREAT LAKES-I, LIMITED PARTNERSHIP**, requests a **new full year (quota) Class C** license with Sunday Sales and Official Permit (Food) with outdoor service area to be located at 3001 W. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 238468] *New construction; final approval dependant on building inspections*

Present to answer questions from the Committee were Tim Gavigan and Scott Edwards.

Fleming’s Steak House (whose parent company is Outback Steak House) will be housed in a new building to be constructed at the southwest corner of Coolidge and West Big Beaver Roads. Mr. Gavigan, a joint venture partner in the corporation, gave the Committee the following items to review: dinner menu, reserve wine list, beverage menu, photographs of existing restaurants, and drawings of proposed layout for new construction. Fleming’s Steak Houses are currently in 23 cities in the U. S and the Troy location will be their first in Michigan. They are a dinner-only, non-smoking, high-end neighborhood steak house. They pride themselves in offering 100 different wines available by the glass, as well as wines from their reserve list available by the bottle to complement their 46-item menu. Their focus is on the local community, not business travelers. The general manager and head chef are brought on as equity partners rather than employees of the business. They will have a seating capacity of 225 patrons, with additional outdoor seating when the weather permits, and a valet-only parking lot.

The liquor training for employees and alcohol management policy is very strict with a zero tolerance policy regarding service to minors and intoxicated patrons. Mr. Edwards stated that the 22 Outback Steak House locations in Michigan have received only one violation since 1998.

Sgt. Gordon confirmed that they passed the background check.

Resolution #LC2004-03-009
Moved by Allemon
Seconded by Peard

RESOLVED, that FLEMING’S/GREAT LAKES-I, LIMITED PARTNERSHIP, be granted a new full year (quota) Class C license with Sunday Sales and Official Permit (Food)

with outdoor service area to be located at 3001 W. Big Beaver Rd., Troy, MI 48084, Oakland County. [MLCC REQ ID# 238468] New construction; final approval dependant on building inspections.

Yes: All-6
No: None
Absent: Elenbaum

Carolyn Glosby, assistant City Attorney, presented the following facts to the Committee regarding Kelly's Market. In September 2003, Kelly's Market was cited for sale to minor. At that time, the underage buyer who purchased the alcohol provided a written statement to police that he used a Michigan State University photo-identification card for the purchase of the alcohol. Recently, this underage buyer has stated that he does not recall which form of identification he presented to the sales clerk at Kelly's Market, and it could have been a counterfeit State of Colorado driver's license. Since it is now the underage buyer's contention that he may have used this false identification, the City Attorney's Office advised City Council not to conduct the scheduled due process hearing at this time, in the spirit of fairness to the licensee.

Carolyn Glosby and Sgt. Gordon also stated that Kelly's Market mailed a letter to the Mayor on the eve of the due process hearing complaining about the law enforcement methods employed by the Police Department in its investigations of reported sales to minors.

Sgt. Gordon stated that there are now four server-training programs available (TIPS, TAMS, Barcode, and CARE). He will include this updated information with all mailings.

The meeting adjourned at 7:47 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Clerk-Typist